

**To:** Bennett, James[bennett.james@epa.gov]; rogers, rick[rogers.rick@epa.gov]  
**From:** McManus, Catharine  
**Sent:** Thur 1/18/2018 9:31:05 PM  
**Subject:** RE: Mountaire Briefing

Thanks so much for getting this to me. I appreciate it. I will cc you.

Kate McManus

Acting Director, Water Protection Division

EPA Region 3

215-814-5337

**From:** Bennett, James  
**Sent:** Thursday, January 18, 2018 4:25 PM  
**To:** rogers, rick <rogers.rick@epa.gov>  
**Cc:** McManus, Catharine <mcmanus.catharine@epa.gov>  
**Subject:** Mountaire Briefing

Andy, Amy and I updated the briefing document and cut it down to one page.

Also edited some of the talking points below

Talking points for Cosmo on Mountaire:

- Region III is concerned at the recent elevated levels of nitrates in drinking wells around the Mountaire Farm in Sussex County that were identified in a DNREC NOV in November.
- Region III has an existing 1431 EPA Emergency Order on Consent in place for 7 residences around Mountaire that dates back to 2003.
- Recent sampling has identified an additional 40-60 residences in the vicinity of the farm that may be impacted by ongoing nitrate pollution from wastewater spraying operations.

- [REDACTED] Earlier this month, Mountaire announced that they were offering to assist 88 homeowners around the facility with alternative water sources (deeper wells, treatment or hook up to public water).

- [REDACTED] ORC and GWEB held a conference call with counsel for Mountaire on January 17, 2018 at 4:00 PM, EST, [REDACTED] **Ex. 5 - Deliberative Process** new residences that have been identified, as well as others that may be identified in the future.

- [REDACTED] Mountaire's counsel will present to their client and respond within a week

## **Ex. 5 - Deliberative Process**

- [REDACTED] In speaking with your staff, we understand that the NOV has been referred to the Attorney General for action.

- [REDACTED] ORC has spoken with the Attorney General's Office about working cooperatively with them. These conversations will continue.

- [REDACTED] What is DNREC planning to take and what is the timeframe.

## **Ex. 5 - Deliberative Process**

- [REDACTED] We have a tentative meeting scheduled the week of January 29 with your staff to discuss options and plan a way forward.

- [REDACTED] We want to work with you to resolve this issue.